

District V Advisory Board Minutes
May 2, 2016
www.wichita.gov

The District V Advisory Board meeting was held at 6:30 p.m. at Fire Station #21 located at 2110 N. 135th St W., Wichita, KS 67235.

ATTENDANCE

Members Present

Ben Bradley
Mike Greene
Barby Jobe
JV Johnston
Jill Kerschen
Ben Kittrell
Trevor Kurth
Troy Palmer
Alissa Unruh
Claire Hersh, Youth Rep.
Council Member Bryan Frye

Staff Present

Captain Mike Malter, WFD
Officer Brad Haught, WPD
Gary Janzen, City Engineer, Public Works
Dale Miller, Director, MAPD
Bill Longnecker, Senior Planner, MAPD
Tracie Partridge, Libraries
Laura Rainwater, Community Rep.

Guests

See list at end of Minutes

Members Absent

Angela Breer
Jose Gutierrez

ORDER OF BUSINESS

Call to Order: The meeting was called to order by Mike Greene
Approval of minutes from March 7, 2016: Approved 8-0.
Approval of Agenda: Approved 8-0.

Board Agenda

Council Member, Bryan Frye, welcomed **Barby Jobe** to the DAB V Board.

Public Agenda Items

None

Off-Agenda Items

None

Staff Reports

Fire Department Report: Capt. Mike Malter, reported

- Two fires in April
 - Silver Springs Apartments caused by discarded cigarette on balcony. \$225,000 in damages to content and structure
 - 7230 W Harry caused by spontaneous combustion during remodel
- Burn ban has been lifted

- Hydrant and building inspections are being done
- WFD will be collecting donations for the MDA at various locations around the city over the next few Saturdays

Action Taken: Receive and file

Community Police Report: Community Police Officer, Brad Haught, reported.

- New captain for Patrol West – Capt. Wanda Parker-Givens
- Mandatory inservice and certifications for police officers
- Crime is up but burglaries are down. Larcenies and auto thefts are up

Action Taken: Receive and file

Park and Recreation Department Report: Council Member Bryan Frye, reported

- Buffalo Park – Ribbon cutting celebrations scheduled for Thursday, May 26, at 10:30am
- New train at Watson Park dedicated this past week. Includes a new locomotive, a new coach and a new crossing signal. Payback to City within

Action Taken: Receive and file

Libraries Report: Tracie Partridge, Westlink Branch Senior Librarian, reported

- Summer Teen Volunteer Program – applications still being accepted for grades 8-12
- Reading Incentive Programs beginning May 25
- Westlink Branch hosting Book Buzz, Weds., May 4 at 6:30 pm
- Westlink Branch hosting Downloading E-books Seminar at 1:00 on May 24

Public Works Report: Gary Janzen, City Engineer, reported

- 34th & Maize Signal – Operational before school starts in August
- Tyler & 2nd Street – in front of Wilbur Middle School – design phase with traffic signal – construction to begin next spring
- Foley Equipment expansion - \$20 million investment to expand. KDOT will announce West Street improvements
- Utility Improvements beginning
 - NW treatment plant - \$3 million
 - Roof replacement at Cheney - \$850,000
 - Main treatment plant to get new roof - \$6 million project
 - Sewer treatment plant – 57th & Hydraulic – Replace 66” pipe - \$44 million
 - Red Bud Bike Trail dedication this Saturday
 - Woodchuck Bike Trail dedication, May 10

Action Taken: Receive and file

New Business

ZON2016-00013 - Derrick Slocum, Metropolitan Area Planning Department, presented the request for a City zone change from SF-5 Single-Family Residential to LC Limited Commercial on property generally located 600 feet north of Maple Street on the west side of Tyler Road.

In attendance were **Russ Ewy** with Baughman Company, agent for the applicant, **Ronald Palecki**, and the following homeowners from the adjacent neighborhood: **Larry and Ellen Ryan, Craig Hogue and Jeff Cooper.**

DAB member, **Trevor Kurth**, excused himself from the meeting due to a conflict of interest.

After staff presentation, **Ewy** addressed the Board. He indicated the applicant has no intention of building a restaurant and would be ok with rezoning it to Neighborhood Retail. Applicant is considering a small scale commercial building.

Members of the adjacent neighborhood then addressed the Board in opposition of the change. Their concerns included:

- Home values will decrease next to LC zoning
- Just because a home is on a main arterial doesn't mean it has to be LC
- Devaluation of adjacent properties so applicant can profit
- Applicant purchased the home from auction knowing it was zoned SF-5 and it should remain SF-5
- Strictly an effort by applicant to make money at the expense of adjacent property owners
- Limit the change to NR not LC with Protective Overlay
- Letter of protest is attached to this report

DAB members voiced concern over the allowable uses under new zoning.

JV Johnston made a motion to approve the staff recommendation to APPROVE the request, with a Protective Overlay which states:

1. No off-site or portable signs shall be permitted on the subject property. No building signs shall be permitted on the face of any building that is adjacent to any property that is residentially zoned.
2. Signs shall be in accordance with the City of Wichita sign code, with the exception that signs shall be monument –style and limited to 15 feet in height. No LED signs shall be permitted.
3. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from any abutting or adjacent properties that are in a residential zoning district. Light poles shall be limited to a maximum height, including the base of the light pole, of 15 feet. Light poles shall not be located within any setbacks.
4. Outdoor speakers and sound amplification systems shall not be permitted.
5. No buildings shall exceed one story in height with a maximum building height of 25 feet. At the time the site is developed, the owner shall install and maintain a 6-8 foot high screening fence/wall located parallel to the north and west property lines of the subject site, where it abuts existing residential zoning.
6. At the time the site is developed, landscaping shall be installed that meets the Landscape Ordinance.
7. The following uses shall not be permitted: adult entertainment establishment; correctional placement residence; recycling collection station; reverse vending machine; car wash; convenience store; night club; recreation and entertainment; restaurant with drive-in or drive-thru facilities; service station; tavern and drinking establishment.

Add to the Protective Overlay to not allow multi-family or duplexes. **Ben Kittrell** seconded.

Motion passed 7-1 (with 1 abstention).

ZON2016-00012 & CON2016-00007: Bill Longnecker, Metropolitan Area Planning Department, presented a request to DAB V on Monday, May 2, 2016, for TF-3 Two-Family zoning with a Conditional Use for ancillary parking & amend PO Protective Overlay #300 and a 10% reduction of

compatibility setback on west side of subject site located one-block west of Ridge Road on the northwest corner of Brunswick and Maple Streets (7324 W. Maple St.).

In attendance were **Tim Austin** with Kaw Valley Engineering, agent for the applicants, **John and Linda Palmer and Brunswick Properties, LLC**, and the following homeowners from the adjacent neighborhood: **Jared and Amanda Gish, Pat O'Bryan, Jim Nedeau, David Woodrow, Samuel Noone, Brad Noone, Herbert Zortman, Lisa Boehmke and Linda Drouhard.**

After staff presentation, **Austin** addressed the Board. Previous owner of property had given up the right to put in a restaurant. The new owner's would like that removed. They will install a six-foot screening wall as opposed to a fence. They want Maple access as well as access on Brunswick.

Members of the adjacent neighborhood then addressed the Board in opposition of the change. Their concerns included:

- A restaurant and the proposed larger site would generate a heavy traffic increase onto Brunswick, which is a residential street.
- Proposed two entrances on Brunswick will increase the traffic on Brunswick and turn it into a "mini Ridge Road"
- People have already figured out they can cut through on Brunswick to avoid Maple/Ridge intersection. Traffic will only increase when restaurant patrons cut through the neighborhood to avoid left turns onto Maple.
- Many young kids live on the street and ride their bikes on the street. There are no sidewalks.
- You would be turning a residential street into a commercial street through a residential neighborhood.
- Want to close Brunswick so it dead-ends at Maple
- Trash, smell and light pollution generated by a restaurant
- Late night hours and the noise generated by a restaurant
- Concerns about alcohol being served in a full service restaurant and the public safety in regards to the traffic coming off of the site on onto Brunswick.
- Six-foot fence is not enough to discourage people from 'going over' and into the single-family residential neighborhood. Concerns expressed about the property owners willingness to maintain a fence and the proposed landscaping (based on experience with the Outback restaurant). An eight-foot wall with landscaping is needed.
- Concessions were made six months ago in the zone change to NR Neighborhood Retail on the south portion of the site to allow a chiropractor's office.

DAB members voiced concern over the enormous impact the traffic will have on the residential street. They further stated that the rules were made six months ago and the need to be upheld.

JV Johnston made a motion to **DENY** the request to amend PO #300 to allow for a restaurant and to reduce the compatibility setbacks and to **DENY** the requested zone change to TF-3 Two-Family zoning with the associated Conditional Use for ancillary parking.

Jill Kerschen seconded the motion.

Motion passed 5-4.

Old Business

None

Meeting adjourned at 9:07 p.m.

The next District V Advisory Board meeting will be held at 6:30 p.m. on Monday, June 6, 2016, at Fire Station #21, located at 2110 N. 135th St W., Wichita, KS 67235. DAB V Pro-tem, Mike Greene, will not be in attendance. J.V. Johnston has volunteered to be Pro-tem for the meeting.

Guest List

David & Nancy Woodrow
Jim & Margie Nedeau
Richard & Avis Green
Brian Suellentrop
Lonny Wright
Jeff & Shirley Cooper
Linda Drouhard
Lisa Boehmke
Margie Sanders
Pat O'Bryan
Amanda & Jared Gish
Larry Ryan
Cary & Shirley Zortman
Brad Noone
Jami Noone
Samuel Noone
Sadie Noone
Arthur Stewart